

REMARKS

Claims 44-76 are pending in the instant application. Claim 65 has been amended. New claims 77-79 have been added. The Examiner has rejected claims 44-76 as being allegedly unpatentable over Aycock et al, U.S. Patent No. 5,765,138 (hereinafter "Aycock") in view of Gervais et al, U.S. Patent No. 6,381,579 (hereinafter "Gervais"). The Applicants respectfully traverse the outstanding rejections for at least the reasons presented herein. No new matter has been entered.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing a *prima facie* case of obviousness. *In re Fine*, U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). The Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

The Applicants' claims 44 and 66 respectively recite a method and system for facilitating supplier qualification and quality management functions in a communications network environment, comprising: "qualifying suppliers, parts, and technologies in a collaborative network environment via a web-based user interface and shared data repository, said qualifying suppliers, parts, and technologies including:

acquiring supplier capabilities, part data, and supplier technology data from at least one collaborative source via said web-based user interface, said collaborative source including a supplier, a manufacturing representative, and at least one of an electronic catalog and a commercial data repository;

storing acquired data in said shared data repository, said acquired data accessible to affected collaborative sources; and

performing quality management functions via said web-based user interface and shared data repository, said quality management functions including at least one of:

- managing identified changes to a supplier product;
- managing process changes proposed by a supplier; and
- assessing quality metrics provided by a supplier."

Neither Aycock nor Gervais, alone or in combination recite these features. While Aycock recites some supplier qualification processes, it fails to recite the elements provided above with respect to Applicants' claims 44 and 66. Aycock does not recite qualifying suppliers, parts, and technologies in a collaborative network environment via a web-based user interface and shared data repository. More specifically, Aycock does not recite acquiring supplier capabilities, part data, and supplier technology data from at least one collaborative source via the web-based user interface. Further, Aycock does not recite storing acquired data in a shared data repository and making the acquired data accessible to affected collaborative sources. Moreover, Aycock does not recite acquiring data from at least one of an electronic catalog and a commercial data repository. Also, Aycock does not recite performing quality management functions via the web-based user interface and shared data repository. Gervais does not cure the deficiencies of Aycock. Gervais teaches a system and method for enabling secure navigation to resources over a network. Because neither Aycock nor Gervais recite these features, the Applicants submit that claims 44 and 66 are patentable over Aycock in view of Gervais. Accordingly, Applicants submit that claims 44 and 66 are in condition for allowance. Claims 45-54 depend from what is an allowable claim 44 and claims 67-76 depend from what is an allowable claim 66. Accordingly, the Applicants' submit for at least these reasons, claims 45-54 and 67-76 are in condition for allowance.

Applicants' claim 55 recites a system for facilitating supplier qualification and quality management functions in a communications network environment, comprising:

"a supplier qualification and quality management application executing on a host system;

a web-based user interface provided by supplier qualification and quality management application, said web-based user interface operable for collaboratively enabling qualification of suppliers, parts, and technologies over a network;

a shared data repository in communication with said host system;

a workstation in communication with said host system, said workstation operated by a manufacturing representative;

a link to at least one supplier over said network, said at least one supplier in communication with said host system via said web-based user interface and said network;

wherein said collaboratively enabling qualification of suppliers, parts, and technologies includes:

acquiring supplier capabilities, part data, and supplier technology data from at least one collaborative source via said web-based user interface, said at least one collaborative source including a supplier, said manufacturing representative, and at least one of an electronic catalog and a commercial data repository;

storing acquired data in said shared data repository, said acquired data accessible to affected collaborative sources; and

performing quality management functions via said web-based user interface and shared data repository, said quality management functions including at least one of:

managing identified changes to a supplier product;

managing process changes proposed by a supplier; and

assessing quality metrics provided by a supplier."

Neither Aycock, nor Gervais, either alone or in combination, recite these features. Specifically, neither Aycock nor Gervais teach or disclose a supplier qualification and quality management application executing on a host system, a web-based user interface provided by the supplier qualification and quality management application, wherein the web-based user interface is operable for collaboratively enabling qualification of suppliers, parts, and technologies over a network. Further neither Aycock nor Gervais recite a shared data repository in communication with the host system and a workstation being operated by a manufacturing representative which is also in communication with the host system. Neither Aycock nor Gervais recite a link to at least one supplier over the network, wherein the supplier communicates with the host system via the web-based user interface and network. Additionally, neither Aycock nor Gervais recite the functions performed by the supplier qualification and quality management application as indicated above with respect to claims 44 and 66.

Because neither Aycock nor Gervais recite each of the elements of Applicants' claim 55, the Applicants submit that claim 55 is patentable over Aycock in view of Gervais and that, accordingly, claim 55 is in condition for allowance. Claims 56-65 are dependent upon what is an allowable claim 55. For at least this reason, Applicants submit that that claims 56-65 are also in condition for allowance.

New claim 77 incorporates the claims limitations recited in claims 44, 48, and 49. New claim 78 incorporates the claim limitations recited in claims 55, 59, and 60. New claim 79 incorporates the claim limitations recited in claims 66, 70 and 71. The Applicants submit that new claims 77-79 are patentable over Aycock in view of Gervais for at least the reasons presented above with respect to claims 44, 55, and 66. These new claims 77-79 contain no new subject matter nor raise new issues.

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone

conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicant's attorney hereby authorizes that such fee be charged to Deposit Account No. 50-0510.

Respectfully submitted,

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